

REMARKS

New Claims

New claim 71 is supported in the application at page 1, lines 24 through 26.

New claim 72 is supported in the application at page 3, lines 22 through 25.

New claim 73 is supported in the application at page 5, lines 12 through 25.

35 USC §103

The previous claim set all stood rejected under 35 USC §103 over the Parrillo reference (U.S. 5,442,553). A new claim set is submitted herewith in response to a useful informal interview that was courteously granted by the examiner. The new claim set recites the invention in terms of method claims, as opposed to system claims, pursuant to that interview.

The new claim set does not narrow the claims because Parrillo does not render the previous structure recited in the previous claim set obvious because Parrillo is inoperative to execute the present invention, because Parrillo does not teach, suggest or motivate the present invention and because there are not pre-existing elements recited in Parrillo which perform their pre-existing functions recited in Parrillo.

The present invention is for repair of agricultural, construction or forestry machines. The Parrillo reference is for automobiles. These categories of machines differ in ways that make the Parrillo disclosure inapposite for application in agricultural, construction and forestry machines. When agricultural, construction and forestry machines need repair, time is often of the essence. For example, repair of a combine during harvesting season must be executed as soon as possible, as grain prices fluctuate,

quite literally, by the minute. Moreover, commodity market price fluctuations notwithstanding, changes in the weather can affect the profitability of the harvest. The Parrillo is not directed towards timely repair.

The Parrillo technology is inapposite for repair of agricultural, construction and forestry equipment for another reason. That is that repairs of machines presently under consideration include manual work by human beings, which is to be executed according to a specific and detailed set of step by step instructions recited in the presently pending claims as a current repair plan. Previous office actions have taken the position that Parrillo teaches such a step. What Parrillo expressly teaches is much different and falls far short of generating a current repair plan as claimed. Parrillo is essentially directed towards reporting to a central computer breakdown statistics in a “population of similar vehicles” such that the “manufacturer can determine if a particular problem is generic to a specific model.” Incidentally, Parrillo also recites that a RAM in the vehicle, to the extent that it controls the working machine parts in the vehicle, may be updated. Specifically, if the timing chain has worn, the chip controlling the timing may receive “a message to vehicle 15 to change the timing constant in RAM.” *See* column 5, lines 18-19. Hence the teaching of Parrillo is limited to updating control parameters that may be solely executed by processors, not human repairmen. This disclosure falls far short of generating a current repair plan as presently claimed. Accordingly, Parrillo is inoperative to execute the presently pending claims, does not teach, suggest or motivate them, and does not recite an element executing the same function as the elements structurally recited in the presently pending claims.

By contrast, in the presently pending claims, there is presently generated what the repairman at the machine needs in a timely fashion; a current repair plan that is uniquely accurate for each individual machine. In the prior art, inaccuracies could arise because certain parts or assemblies within agricultural, construction and forestry machines may be altered or subject to design changes before their service life begins. A design of specific components or assemblies within such expensive and complicated machines are often executed at the factory within a particular model line, without waiting for a new model to be introduced. Accordingly, operators' manuals may be inaccurate for a particular individual machine. Under such circumstances, the step by step instructions or a current repair plan that was a base repair plan that was accurate at the beginning of a model line, may change. This is accommodated by the present invention and structurally recited in the presently pending claims. There is certainly nothing in Parrillo or any other prior art of record that would be operative to execute such timely and accurate current repair plans, nothing in Parrillo or the prior art of record that teaches, suggests or motivates the same and no element in Parrillo that performs such a function.

Additionally, as an individual machine proceeds through its service life, particular wear, particular breakdowns or accidents, and particular usage, and particular previous repairs or modifications or additions of components to an individual machine may impact how particular repairs must be made, or may be made in a better way. Parrillo and the prior art of record does not generate any current repair plan that accommodates any modification of a present individual machine. Moreover, the only reference in Parrillo to wear in a particular individual machine is wear relative to computer control components and, further limited to wear that may be adjusted for by changing a parameter in a

computer RAM controlling such a part or assembly. Parrillo certainly is not operative to point out to a repairman in a current repair plan that a particular part or assembly has been previously altered, exchanged, added, subtracted, substituted or otherwise changed in a way that would affect a current repair plan. Parrillo and the other prior art of record does not teach, suggest, or motivate this, and has no element that executes the same function as this as currently recited in the pending claims.

It is further noted that new claims 71, 72 and 73 further recite structure that is not disclosed, taught, motivated or otherwise rendered obvious by the prior art of record.

INTERVIEW REQUESTED

Applicant requests an interview before a first office action.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



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